7/29/75

Dear Jeff, Norman Playboy

Your letter of the 25th is considerate, your offer is fair and represents as much as you can do under the corcimstances - and I do appreciate it.

Actually doing it is probably impossible for me, as I'll explain in order to leave up to you any alternative that also seems fair to you. I've had these things happen in the past under other circumstances. Invariably, by the time rectification become possible, it provides no solution.

My real need for the copy was to use it in an effort to sell prepub rights. I still need one now for the same purpose but if I can proceed as I'd like to and as I plan there will not be time for any magazine pre-pub uses. Having had no copy for the two papers that were interested I don't know whether any prospect remains there.

I don't know if anyone can begin to appreciate what it means to be a one-man investigative-research-writing-publishing organization, with a little law work and legal investigating and counselling (of others, including publishers) thrown in, especially when, aside from what my wife does and the legal work Jim Lesar does, I have everything else to do, including answering extensive correspondence from by now about 5,000 concerned people. Yesterday, for example, your librarian phoned just as I was beginning a new assault on the tall weeds that got a head start when I took ill the end of April. But were it not for these things, I'd have completed all that remains to be done before I'll run the risks and publish Post Mortem myself. Regardless of the costs, risks and reduced sales it means. I believe that doing this represents a national need and that I have the obligation to do it. Thereafter, it will be for me a major operation to promote it without leaving home, without having the money to promote it by phone (which is the way I did Whitewash IV, but only when others paid for the phone call) and having all copies that go out to prepare for shipping.

Long as the book now is, I'm having to make it longer to add a new close, one that includes the results of another law suit. The yield was excellent for one who understands it. I've completed a draft of this addition. I now need to find time to cut and edit it. As soon as I do this my wife has to find time from the other things she does to prepare camera-ready copy from it. With that paged I'll do the appendix and then to the printer. What goes to the printer will, contrary to accepted practise, have practically no white space because I feel bringing out all the evidence possible is more important than appearance.

In part, this explanation is because I assume that someone there has some purpose in wanting the entire Whitewash series at this time and in a rush. In part, it is to explain why I can't do as you so kindly offer.

We live in the country. I don't know where I can get a steno who is dependable enough and neither my wife nor I can now take the time required to check. Besides, aside from copyreading a long work, the only way is with the master and that represents too great a danger. A correction can fall off.

Locally there is only one place that does xeroxing for less than 25¢ a page! Going there represents a 12-mile trip. With 440 pages to do it also means that I'll have to stay there, sit and watch for much of a day. If they have work to do for lawyers it might not be done in a day because they have only one machine. Aside from my time and travel this would cost $45.76.

Now I'm not about to rip Playboy off by giving you phoney bills to conform to your offer. And with the good intentions your letter makes clear, you really can't repay me for what this loss and the long delay in letting me know have cost me.

Actually, your press people have not yet told me they are not going for it. I have heard nothing from them. Jim has told me of your efforts, for which I do thank you.

So, I'll just leave the whole thing up to you. I had thought about what I might be able to do as an alternative when only a paper like the National Enquirer can now use the pre-pub rights. The only possible and probably quite costly possibility is to have two sets of extra blues pulled when the film is shot and the plates are ready for printing. Once I have approved them it will be a month before the books will be delivered to me. But I have no idea what these blueprints cost or even if anyone will read them. They are not easy on the eyes. The cost of the blues is only part of the makeready cost, which I have as a total figure.

The circumstances work against us both. Whatever you decide I will accept without complaint. I know you did not intend this and that what you can do is limited.

I don't expect of Playboy what Penthouse has just done to me. You will not rip this off, as can be done easily with many parts.

My Penthouse experience may interest you. Telling you the story will tell you something about some of the people in the field in which I work and have done most of the original work.

One of the lead stories in the current issue of Penthouse is a chapter of the six-month old O'Toole book. (For all practical purposes it is a CIA job.) That was the first Penthouse Press book. That chapter is a ripoff of the basis of Whitewash IV. More than a year after that book was at Penthouse they come out with an article that, while perhaps short of legal plagiarism, actually says that the work I did from 1967 until last year and the tough and costly suit by means of which I got that sensational executive-session transcript and another too late for inclusion in the book all didn't happen. It says that inexplicably the government just on its own decided to release this stuff. Read as the cover says, "Exclusive" in Penthouse.

The same thing has been done by these other publications to which I did try to sell the rights: Rolling Stone, the Tatler and I think New Times.

When I got that transcript and saw the meaning and the book possibilities and had no means the first thing I thought of was trusting the untrustworthy Fensterwald, who is rich because he was born rich. He read it in supposed confidence. (I didn't then know he was working with O'Toole and Penthouse.) He offered to countersign a note for me, no more. I didn't need a signature and at 62 I am reluctant to extend the debt that this work has caused. So, not owning a copy of LMP I asked a friend at Bantam to whom I ought speak at Playboy Press. Before I could write Bud spoke to Guicioni and I had an invitation to go to Penthouse. With the transcript then available to anyone for $15 if he knew of its existence, I was pre-empted. So, I went to Penthouse after sending them a xerox that to this day I have never been able to get back, the identical problem with ancillary rights. They said they would do the book but under impossible and insulting conditions. The primary one was that they'd hold it until the nothing O'Toole book was out as their first. (With the rewriting caused by this ripoff it was delayed nine months!) They were going to print in my underground format, so they had no cover or typesetting costs because the book was camera-ready. As an advance they offered me about half of these costs already paid for them! Promotional copies? I'd have to pay for them. And at about three times manufacturing costs, much higher than the normal contract provides for author's copies. I'd have the other promotional costs, too, like mailings. In short, they wanted to latch onto the book for nothing and hold it off the market until they could make their big play with the crap I then told them was crap and would be the financial disaster it has been.

Jim Lesar and I saw their then head of books, a character from the past named Geposs who spent all our time telling us how great he was, last July. He then had read Whitewash IV and had a copy. In March their book appears with a magazine artcile from it. Now in August, as the book says, they have this second piece from that book and again pretend my work is theirs.

The truth is that everything of any significance in that book is from the past and I first published it, without any acknowledgement of it in their book. The chapter reprinted in the current issue uses this work as the insane basis for an insane theory in which renegade FBI agents pick the exact time of the assassination as the time to communicate with Oswald to set up a meeting to give him the money with which to buy a car! The alleged factual backstopping isn't real either. Nor was there any FBI need for an Oswald to have a car. To call this guff insane is to praise it.

Having taken all this time, let me report what the history of Whitewash IV has been.

It has received more extensive and responsible print-press international attention than any other assassination story in years. None of it told readers how to get the book - even the city in which I live. No books were on commercial sale so I could not translate any of this into sales.

Appearance of the book had to be held up until after the Ray evidentiary hearing because of the work I had to do prior to and during and after it. I had to hold the printed copies for two months. Nonetheless, without a penny for an ad, without paying for a single phone call to promote it and with every copy mailed out from here, with my wife and I doing all of this, we have paid off the money borrowed by Lesar to pay the printer, have paid the artist for the cover and have started recapturing the other costs. I advanced these, like stamps, envelopes and a mailing of a one-page flyer to our mailing list and those who write daily, from the money coming in from the original books each of which is selling well. In fact, from the first of the year I have set the rest of this money aside in an escrow account to be able to reprint them. The first and third are close to out of print. It is this money that I'll use to print Post Mortem. It will be at least 660 pages and may be 672 pages.

We'll have to borrow a little but we'll do it. And the book will not lose money. In the end we'll have a return from Whitewash IV. The situation is that, with breaks I'm not figuring on, Post Mortem can do what few books ever do and can be profitable. I am satisfied it will receive major attention, including in the Congress.

We lead a strange life in a strange time. I've tried to explain part of it in explanation of this reaction to your decent offer and because I do assume that there was some reason for your library to order all the Whitewash series. One of the strangest aspects is that having had to invent the underground book to open the subject and never having been able to advertise any of my books they are, with one exception, the only available books. It requires exceptional diligence and persistence to learn of these book and how to write me but people from all over the country do it in comforting number every day. Libraries continue to replace worn-out copies because of reader demand. Meanwhile, I'm still and always after the government. Their only reaction thus far to my latest charging and proving of perjury in court was to tell the court that I could make and prove such charges ad infinitum because I know more about the subject than anyone in the FBI. In this strange time this is an answer to a court!...So, thanks, and whatever you decide there will be no hassle.

Best wishes, Harold Weisberg